

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

JOSEPH HOPKINS,

Civil No. 09-834-HO

Plaintiff,

v.

RICK COURSEY, et al.,

ORDER

Defendants.

HOGAN. District Judge.

Plaintiff's Motion to Dismiss Without Prejudice (#16) is allowed. The "without prejudice" provision of the dismissal shall not be construed as tolling or extending the statute of limitations or otherwise affecting any defense that exists as of the date of the dismissal.

Defendants' Motion to Dismiss (#12) is denied as moot.

IT IS SO ORDERED.

DATED this 4th day of January, 2010.

s/ Michael R. Hogan

Michael R. Hogan
United States District Judge